

Senate File 6 - Introduced

SENATE FILE _____
BY HECKROTH

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act lowering the compulsory school attendance age and
2 providing for properly related matters.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1079XS 83
5 kh/nh/5

PAG LIN

1 1 Section 1. Section 135.17, subsection 1, paragraph a, Code
2 2009, is amended to read as follows:
3 a. Except as provided in paragraphs "c" and "d", the
4 parent or guardian of a child enrolled in elementary school
5 shall provide evidence to the school district or accredited
6 nonpublic elementary school in which the child is enrolled of
7 the child having, no earlier than three years of age but prior
8 to reaching ~~six~~ five years of age, at a minimum, a dental
9 screening performed by a licensed physician as defined in
10 chapter 148 or 150, a nurse licensed under chapter 152, a
11 licensed physician assistant as defined in section 148C.1, or
12 a licensed dental hygienist or dentist as defined in chapter
13 153. Except as provided in paragraphs "c" and "d", the parent
14 or guardian of a child enrolled in high school shall provide
15 evidence to the school district or accredited nonpublic high
16 school in which the child is enrolled of the child having, at
17 a minimum, a dental screening performed within the prior year
18 by a licensed dental hygienist or dentist as defined in
19 chapter 153. A school district or accredited nonpublic school
20 shall provide access to a process to complete the screenings
21 described in this paragraph as appropriate.
22 Sec. 2. Section 135.102, subsection 7, Code 2009, is
23 amended to read as follows:
24 7. Implementation of a requirement that children receive a
25 blood lead test prior to the age of ~~six~~ five and before
26 enrolling in any elementary school in Iowa in accordance with
27 section 135.105D.
28 Sec. 3. Section 135.105D, subsection 2, paragraph a, Code
29 2009, is amended to read as follows:
30 a. A parent or guardian of a child under the age of two is
31 strongly encouraged to have the child tested for elevated
32 blood lead levels by the age of two. Except as provided in
33 paragraph "b" and subsection 4, a parent or guardian shall
34 provide evidence to the school district elementary attendance
35 center or the accredited nonpublic elementary school in which
2 1 the parent's or guardian's child is enrolled that the child
2 2 was tested for elevated blood lead levels by the age of ~~six~~
2 3 five according to recommendations provided by the department.
2 4 Sec. 4. Section 279.9A, Code 2009, is amended to read as
2 5 follows:
2 6 279.9A INFORMATION SHARING.
2 7 The rules referred to in section 279.9 shall provide that
2 8 upon the request of school officials of a school to which the
2 9 student seeks to transfer or has transferred, school officials
2 10 of the sending school shall provide an accurate record of any
2 11 exclusion, suspension, or expulsion actions taken, and the
2 12 basis for those actions taken, against the student under
2 13 sections 279.9, 280.19A, 282.3, 282.4, and 282.5. The
2 14 designated representative shall disclose this information only
2 15 to those school employees whose duties require them to be
2 16 involved with the student. For purposes of this section,
2 17 "school employees" means persons employed by a nonpublic
2 18 school or school district, or any area education agency staff

2 19 member who provides services to a school or school district.
2 20 Sec. 5. Section 282.3, subsection 1, Code 2009, is amended
2 21 to read as follows:
2 22 1. ~~The Notwithstanding section 299.1A, the board of~~
2 23 ~~directors of a school district~~ may exclude from school
2 24 children under the age of six years when in its judgment such
2 25 children are not sufficiently mature to be benefited by
2 26 regular instruction, or any child who is found to be
2 27 physically or mentally unable to attend school under section
2 28 299.5, or whose presence in school has been found to be
2 29 injurious to the health of other pupils, or is inefficiently
2 30 taught for the scholastic year at a state institution.
2 31 However, the board shall provide special education programs
2 32 and services under chapters 256B, 257, and 273 for all
2 33 children requiring special education.
2 34 Sec. 6. Section 282.3, subsection 2, unnumbered paragraphs
2 35 1, 2, and 4, Code 2009, are amended by striking the unnumbered
3 1 paragraphs.
3 2 Sec. 7. Section 282.3, subsection 2, unnumbered paragraph
3 3 3, Code 2009, is amended to read as follows:
3 4 ~~No child shall be admitted to school work for the year~~
3 5 ~~immediately preceding the first grade~~ The board of directors
3 6 ~~of a school district shall not admit a child to kindergarten~~
3 7 unless the child is five years of age on or before ~~the~~
3 8 ~~fifteenth of September 15~~ of the current school year.
3 9 Sec. 8. Section 282.3, subsection 3, Code 2009, is amended
3 10 by striking the subsection.
3 11 Sec. 9. Section 299.1, unnumbered paragraph 1, Code 2009,
3 12 is amended to read as follows:
3 13 Except as provided in section 299.2 or when the board of
3 14 directors excludes a child from school as provided in section
3 15 282.3, subsection 1, the parent, guardian, or legal or actual
3 16 custodian of a child who is of compulsory attendance age,
3 17 shall cause the child to attend some public school, an
3 18 accredited nonpublic school, or competent private instruction
3 19 in accordance with the provisions of chapter 299A, during a
3 20 school year, as defined under section 279.10. The board of
3 21 directors of a public school district or the governing body of
3 22 an accredited nonpublic school shall set the number of days of
3 23 required attendance for the schools under its control.
3 24 Sec. 10. Section 299.1A, Code 2009, is amended to read as
3 25 follows:
3 26 299.1A COMPULSORY ATTENDANCE AGE.
3 27 A child who has reached the age of ~~six~~ five and is under
3 28 sixteen years of age by September 15 is of compulsory
3 29 attendance age. However, if a child enrolled in a school
3 30 district or accredited nonpublic school reaches the age of
3 31 sixteen on or after September 15, the child remains of
3 32 compulsory age until the end of the regular school calendar.
3 33 EXPLANATION
3 34 This bill lowers the compulsory school attendance age from
3 35 age six to age five. The bill makes a number of conforming
4 1 changes, including the elimination of language establishing
4 2 the conditions under which a child may be admitted to
4 3 kindergarten and first grade in a public school. The bill
4 4 retains language authorizing a school board to exclude a child
4 5 under six from school if the board determines the child is
4 6 unable to benefit from instruction.
4 7 With the lowering of the compulsory attendance age, the
4 8 bill also requires the Iowa department of public health to
4 9 implement the requirement that children receive a blood lead
4 10 test prior to the age of five, rather than six and that the
4 11 parent or guardian of a child enrolled in elementary school
4 12 provide evidence to the school district that the child, prior
4 13 to the age of five rather than six, had a dental screening.
4 14 The requirement that children receive the test before the time
4 15 of enrollment remains unchanged.
4 16 The bill includes a technical change in Code section 279.9A
4 17 to state that the actions which may be taken by school
4 18 officials under the Code sections referenced in the statute
4 19 include the exclusion of a student.
4 20 LSB 1079XS 83
4 21 kh/nh/5